

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NARISSA MELERO,

Plaintiff,

v.

GABRIEL RUIZ, et al.,

Defendants.

Case No. 1:21-cv-01226-NONE-EPG

ORDER DENYING MOTION TO PROCEED  
*IN FORMA PAUPERIS* WITHOUT  
PREJUDICE

(ECF No. 2.)

ORDER REQUIRING PLAINTIFF TO FILE  
LONG FORM APPLICATION TO PROCEED  
*IN FORMA PAUPERIS* OR PAY FILING FEE

THIRTY (30) DAY DEADLINE

Plaintiff Narissa Melero (“Plaintiff”), proceeding *pro se*, has applied to proceed *in forma pauperis* (“IFP”) in this action. (ECF No. 2.)

Plaintiff’s application to proceed *in forma pauperis* was not adequately completed. In response to question one on her application, Plaintiff indicated that she is incarcerated and is being held at “99 cent store.” Plaintiff did not respond to the portion of question two directing Plaintiff to list her employer’s name and address if she is not incarcerated and is employed. Plaintiff listed her gross pay or wages as \$385.00 in response to question two, but did not specify her take-home pay or wages and did not specify the pay period. Additionally, in response to question three, Plaintiff indicated that she has received income in the past twelve months from a business, profession, other self-employment, rent payments, interest or dividends, and gifts or inheritances. However, in response to question three’s directive to describe each source of money,

1 state the amount received, and identify what Plaintiff expects to receive in the future, Plaintiff  
2 stated “okay send me the bill if needed to 4230 E Fairfax #102, Fresno, CA 93701.” In response  
3 to question six, which requires a description of any housing, transportation, utilities, loan  
4 payments, or other regular monthly expenses and the amount of the monthly expense, Plaintiff  
5 stated “just Rent I have mine and my roommate’s agreement of what I pay” and did not specify  
6 the amount of her rent expense.

7 Plaintiff’s application, as written, is insufficient for the Court to determine if she is  
8 entitled to proceed without prepayment of fees in this action. Without a fully completed IFP  
9 application, Plaintiff has not made the showing required to proceed IFP. *See* 28 U.S.C. § 1915(a).  
10 The application will accordingly be denied without prejudice and the Court will order Plaintiff to  
11 complete and file an Application to Proceed in District Court Without Prepaying Fees or Costs  
12 (Long Form) – AO 239. Plaintiff must accurately and adequately answer the questions presented  
13 on the form. If Plaintiff is unwilling to complete and submit the long form application, Plaintiff  
14 must pay the filing fee in full.

14 Accordingly, it is HEREBY ORDERED that:

- 15 1. Plaintiff’s application to proceed in forma pauperis (ECF No. 2) is DENIED  
16 without prejudice;
- 17 2. The Clerk of the Court is directed to forward an Application to Proceed in District  
18 Court Without Prepaying Fees or Costs (Long Form) – AO 239 to Plaintiff; and
- 19 3. Within **thirty (30) days** of the date of this order, Plaintiff shall either (1) pay the  
20 \$402.00 filing fee for this action, or (2) complete and file the enclosed Application  
21 to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO  
22 239. If Plaintiff fails to comply with this order, the Court may dismiss this action  
23 for failure to obey a court order and/or failure to prosecute.

24 IT IS SO ORDERED.

25  
26 Dated: **August 16, 2021**

27 /s/ Eric P. Gray  
28 UNITED STATES MAGISTRATE JUDGE